

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FINANCIAL GUARANTY INSURANCE  
COMPANY,

Plaintiff,

-against-

THE PUTNAM ADVISORY COMPANY, LLC,

Defendant.

No. 12-cv-7372 (RWS)

**ECF CASE  
Electronically Filed**

**Oral Argument Requested**

**NOTICE OF MOTION TO DISMISS THE COMPLAINT**

PLEASE TAKE NOTICE THAT, upon the accompanying Memorandum of Law in Support of Putnam Advisory Company, LLC's Motion to Dismiss the Amended Complaint, dated December 21, 2012, Defendant Putnam Advisory Company, LLC, by its undersigned attorneys, will move this Court, before the Honorable Robert W. Sweet, United States District Judge, United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York, on Wednesday, March 20, 2013, at 12:00 p.m., or such other date and time that the Court may hereafter determine, for an order, pursuant to Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure, dismissing the claims in the Amended Complaint asserted against Putnam with prejudice and awarding such further relief as this Court may deem just and proper.

Any opposing affidavits, answering memoranda of law, or other response shall be filed and served no later than February 8, 2013, as provided by the "So Ordered" Stipulation filed in the above-captioned action on November 30, 2012 (Doc. 5).

Dated: New York, New York  
December 21, 2012

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